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Interim Lead Class Counsel

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DONALD R. CAMERON, *et al.*,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. 4:19-cv-03074-YGR

**DECLARATION OF DONALD R.
CAMERON IN SUPPORT OF
DEVELOPER PLAINTIFFS'
MOTION FOR ATTORNEYS' FEES,
EXPENSES AND SERVICE AWARDS**

Date: June 7, 2022

Time: 2:00 p.m.

Judge: Hon. Yvonne Gonzalez Rogers

Location: Courtroom 1- 4th Floor

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2 I, DONALD R. CAMERON, declare as follows:

3 1. I am an individual over the age of 18 and I make this declaration based on personal,
4 firsthand knowledge, and if called and sworn as a witness, I could and would testify competently
5 thereto.

6 2. I am the co-developer of a baby-naming app called Lil' Baby Names, and a class
7 representative in the above-entitled action. I submit this declaration on behalf of myself and the
8 settlement class, in support of Developer Plaintiffs' motion for attorneys' fees, expenses, and
9 service awards and in support of final approval of the settlement with Apple, Inc.

10 3. As a class representative, I understand that it is my responsibility to be informed of
11 the work done by my attorneys on the case, to make my own judgment about the fairness of any
12 settlements, and that I am required to consider the interests of all members of the Class, as well as
13 my own. I am free to disagree with my attorneys about the merits of a settlement and make my
14 views known to the court.

15 4. Over the past nearly two-and-a-half years, I have diligently performed my duty to
16 assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a
17 class representative. Throughout this litigation, I have remained informed regarding the status of
18 the litigation by communicating with my attorneys, including reviewing periodic updated
19 correspondence from my counsel and speaking on the phone with my counsel. Since the outset of
20 the litigation, I have also diligently retained papers or electronic information that could be relevant
21 to the litigation and provided these to my attorneys.

22 5. Throughout the case I have also assisted in responding to discovery. This included
23 reviewing discovery requests from defendant, discussing them with my counsel, reviewing
24 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
25 counsel in responding to a total of 3 interrogatories and 165 requests for production of documents.

26 6. I have also contributed to the discovery process by sitting for a deposition. In total,
27 my deposition lasted 7 hours and 2 minutes, where I was questioned by defense counsel in this
28 case. To ensure the accuracy of my transcript, I spent about 3 hours reviewing it for errors.

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3 7. In total, I estimate that I have spent about 35 to 40 hours performing all of the
4 above-described duties on behalf of the class over the past two-and-a-half years. My attorneys have
5 not made any promises regarding compensation for my service, and I willingly agreed to
6 participate in this case with no guarantee of personal benefit or benefit to myself. I believe that the
7 time, effort, and information I provided helped to make the settlement possible. I ask that the Court
8 approve a service award in the amount of \$5,000.


9 8. I have reviewed the terms of the settlement with defendant Apple, Inc., discussed
10 those terms with my attorneys, and I am aware of and approve all terms of the proposed
11 settlements, as it affects me and the members of the Class. Based upon this reading and my
12 discussions with Class Counsel, I understand that Apple agrees to provide \$100 million in
13 monetary relief and certain structural relief. I further understand that the monetary relief will be
14 paid into a Small Developer Assistance Fund to be distributed to the Settlement Class in payment
15 tiers depending on the amount of proceeds class members earned from the distribution of their apps
16 on the Apple App Store, with the minimum payment being \$250.00. I understand in general terms
17 that there will be no reversion of unclaimed funds to Apple, Inc. To the extent that money is not
18 able to be reasonably distributed to class members, the settlement proposes a *cy pres* distribution to
19 the nonprofit organization Girls Who Code.

20 9. I believe that the proposed settlement achieves significant monetary and structural
21 relief for the Class and that this is an excellent result in light of the risks associated with a complex
22 and costly trial. I recognize the uncertainty of success on any or all of the claims presented in this
23 litigation if this case were to go to trial. The proposed settlement also permits an immediate
24 recovery to class members without the risk, delay, and expense of trial.

25 10. I believe the settlement agreement between Apple and Class Counsel was reached at
26 arms' length, and that the terms of the settlement reflect the independent evaluation of Apple and
27 Class counsel of their respective best interests. Based upon my understanding of the class claims
28 asserted in this litigation, and my understanding of the terms of the settlement agreement, I believe

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2 the proposed settlement is fair, adequate and reasonable, and in the best interests of class members,
3 and should therefore be granted final approval.
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5 I declare under penalty of perjury under the laws of the United States that the foregoing is
6 true and correct. Executed this 10th day of February 2022, at Manteca, California.
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DONALD R. CAMERON
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